

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Andrew Hausman

Appl. No.: 09/839,529 Examiner: Ojo O. Oyeibisi

Filed: April 20, 2001 Group Art Unit: 3696

Title: PRICE CHANGE OF ORDERS FROM RESERVE
IN AN ELECTRONIC TRADING SYSTEM

Confirmation No: 2141

RESPONSE TO EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

Assistant Commissioner for Patents
Mail Stop Issue Fee
Washington, D.C. 20231

Sir:

This responds to the Examiner's Statement of Reasons for Allowance, which accompanied the Notice of Allowance dated June 24, 2010.

Applicant points out regarding the allowed independent claims that claims 1, 6 and 46 are method claims, claim 18 is a computer product claim and claim 34 is a system claim. The language in the independent claims differs and at least literally such language does not have identical correspondence in all of the claims, as is evident from a comparison of the claims themselves. Similarly, the Examiner's statements do not correspond literally to the language of all claims.

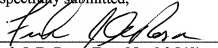
To the extent the Examiner's Statement of Reasons for Allowance states, implies or is construed to mean that the allowed claims are distinguished over the prior art of record because the claims should be interpreted to include one or more features or limitations not recited therein, Applicant respectfully disagrees with such an interpretation. The issuance of the Examiner's

Statement of Reasons for Allowance should not be construed as a surrender by Applicant of any subject matter. Each of the allowed claims should be construed in accordance with the particular claim and applicable legal authority and precedent, notwithstanding the Examiner's stated Reasons for Allowance.

Regarding the Examiner's characterization of the Kalmus et al. patent (4,674,044), it stands on its own. Applicant does not agree with or acquiesce in any of the Examiner's comments regarding Kalmus et al. at least to the extent that such comments are inconsistent with the patent document itself or with Applicant's prior statements regarding Kalmus et al.

Date: September 21, 2010

Respectfully submitted,



Frank J. DeRosa (Reg. No. 26,543)
Attorney for Applicant
FROMMER LAWRENCE & HAUG LLP
745 Fifth Avenue
New York, NY 10151
Customer No. 20999
(212) 588-088